



4-29-05

~~\$ RCE~~
1642
JW

U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
DEPOSIT INFORMATION

Express Mail Label No.: EV 653881042 US

Date of Deposit: 27 April 2005

BRINKS
HOFFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Baker et al.

Appln. No.: 09/943,780

Filed: August 30, 2001

For: SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME

Examiner: Larry R. Helms

Art Unit: 1642

Attorney Docket No: 10466/129-2 (P2549P1C10-2)

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal Letter (in dupl.); Request For Continued Examination (37 CFR Section 1.114) (in dupl.); Response and Request for Continued Examination with Appendix 1-6.
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☒ A petition or processing fee in an amount of \$790.00 under 37 C.F.R. § 1.17(e).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$790.00. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

27 April 2005
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)



U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
DEPOSIT INFORMATION

Express Mail Label No.: EV 653881042 US

Date of Deposit: 27 April 2005

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Baker et al.

Appln. No.: 09/943,780

Filed: August 30, 2001

For: SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME

Attorney Docket No: 10466/129-2 (P2549P1C10-2)

Examiner: Larry R. Helms

Art Unit: 1642

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114 (check at least one of the following):

☐ Previously submitted:

- ☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.
- ☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on _____
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other: _____

☒ Attached is/are:

- ☐ An Information Disclosure Statement
- ☒ An Amendment to the written description, claims, or drawings
- ☒ New Arguments and/or New Evidence in support of Patentability
- ☐ Other: _____

☐ Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:

☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicant(s) calculate the following fees to be due in connection with this Request:

☒ A Request fee of \$790 under 37 C.F.R. §1.17(e).

☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).

☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).

☐ An extension fee of \$_____ under 37 C.F.R. §1.17(a) for a 3-month extension of time.

☒ Fee payment to cover the above-enumerated fee(s):

☐ A check in the amount of \$_____ is enclosed.

☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$790. A copy of this Request is enclosed for this purpose.

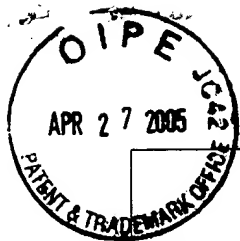
☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

27 April 2005
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)



U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
DEPOSIT INFORMATION

Express Mail Label No.: EV 653881042 US

Date of Deposit: 27 April 2005

Our Case No. 10466-129
P2548P1C10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Baker et al.)	
)	Examiner Larry R. Helms
Serial No. 09/943,780)	
)	Group Art Unit No. 1642
Filing Date: 08/30/2001)	
)	
For: SECRETED AND)	
TRANSMEMBRANE)	
POLYPEPTIDES AND NUCLEIC)	
ACIDS ENCODING THE SAME)	

RESPONSE AND REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed January 27, 2005, the Applicants respectfully request reconsideration in light of the following remarks, and if necessary, continued examination of this application.

Amendments to the Specification begin on page 2 of this paper

Amendments to the Claims are reflected in the Listing of the Claims, which begins on page 3 of this paper.

Remarks / Arguments begin on page 5 of this paper.

Please amend the specification as follows:

Please amend the first paragraph on page 1, beginning at line 2 as follows:

This application is a continuation of, and claims priority under 35 USC §120 to, US Application 09/866028 filed 5/25/2001 (issued as U.S. Patent No. 6,642,360 on 11/4/2003), which is a continuation of and claims priority under 35 USC § 120 to, PCT Application PCT/US99/28301 filed 12/1/1999, ~~which claims priority under 35 USC §119 to US Provisional Application 60/113296 filed 12/22/1998, where PCT/US99/28301 is a continuation-in-part of, and claims priority under 35 USC §120 to, US Application 09/254311 filed 3/3/1999, now abandoned, which is the National Stage filed under 35 USC §371 of PCT Application PCT/US98/25108 filed 12/1/1998, which claims priority under 35 USC §119 to US Provisional Application 60/069873 filed 12/17/1997, and where US Application 09/866,028 is also a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US01/06520 filed 2/28/2001, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/32678 filed 12/1/2000, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/20710 filed 7/28/2000, which claims priority under 35 USC §119 to US Provisional Application 60/146222 filed 7/28/1999, and where PCT Application PCT/US00/20710 is also a continuation-in-part of, and claims priority under 35 USC §120 to PCT Application PCT/US00/14042 filed 5/22/2000, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/08439 filed 3/30/2000, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/05841 filed 3/2/2000, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/04414 filed 2/22/2000, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/03565 filed 2/11/00, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US99/30095 filed 12/16/1999, which claims priority under 35 USC §119 to US Provisional Application 60/113296 filed 12/22/1998, and where PCT~~

Application PCT/US99/30095 is also a continuation of, and claims priority under 35 USC §120 to, US Application 09/218517 filed 12/22/1998, and additionally where PCT Application PCT/US99/30095 is also a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US99/28301 filed 12/1/1999, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US99/28409 filed 11/30/1999, which claims priority under 35 USC §119 to US Provisional Application 60/112850 filed 12/16/98, and where PCT Application PCT/US99/28409 is also a continuation of, and claims priority under 35 USC §120 to, US Application 09/216021 filed 12/16/1998, and additionally where PCT Application PCT/US99/28409 is also a continuation of, and claims priority under 35 USC §120 to, PCT Application PCT/US99/28313 filed 11/30/1999, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US99/21090 filed 9/15/1999, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT Application PCT/US99/12252 filed 6/2/1999, which is a continuation-in-part of, and claims priority under 35 USC §120 to, US Application 09/254311 filed 3/3/1999, where US Application 09/254311 is the National Stage filed under 35 USC §371 of PCT Application PCT/US98/25108 filed 12/1/1998, which is a continuation-in-part of, and claims priority under 35 USC §120 to, PCT Application PCT/US98/19330 filed 9/16/1998, which claims priority under 35 USC §119 to US Provisional Applications: 60/075945 filed 2/25/1998, 60/074092 filed 2/9/1998, 60/074086 filed 2/9/1998, 60/070440 filed 1/5/1998, 60/068017 filed 12/18/1997, 60/069873 filed 12/17/1997, 60/069870 filed 12/17/1997, 60/069702 filed 12/16/1997, 60/069696 filed 12/16/1997, 60/069694 filed 12/16/1997, 60/069425 filed 12/12/1997, 60/069335 filed 12/11/1997, 60/069334 filed 12/11/1997, 60/069278 filed 12/11/1997 and 60/067411 filed 12/3/1997.